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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION

UNITED STATES OF AMERICA * CRIM. NO. 01-60071-01
VERSUS * JUDGE DOHERTY
BRIAN ANTHONY HARRIS * MAGISTRATE JUDGE METHVIN

DETENTION ORDER

The defendant, Brian Anthony Harris, appeared for a preliminary revocation hearing and a hearing to set conditions of release on October 24, 2005. After considering the evidence and submissions the undersigned finds that there is probable cause to hold the defendant for a final revocation hearing, and further orders that the defendant be **detained** pending that hearing.

DETENTION

Once the finding is made that probable cause exists to hold the defendant for a final revocation hearing, the burden shifts to the defendant to establish that he will not flee or pose a danger to any person or the community. Rule 32.1 (a) (6) FRCrP. The defendant failed to carry this burden, as the evidence submitted at the hearing showed that the defendant was unable to follow the terms of his supervised release. The defendant waived his right to a preliminary revocation hearing and waived his right to a detention hearing. Therefore, I find that the defendant has failed to carry his burden under Rule 32.1 (a) (6).

IT IS ORDERED that the defendant, Brian Anthony Harris, be detained pending a final revocation hearing to be held by Judge Doherty.

Lafayette, Louisiana, October 25, 2005.

A handwritten signature in black ink, reading "C. Michael Hill". The signature is written in a cursive style with a horizontal line underneath.

C. MICHAEL HILL
UNITED STATES MAGISTRATE JUDGE